

# REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
79,563	CLASS 239	SUBCLASS 343, 400, 8	Christopher S. Kim	3641

Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

This is a request for filing a ☐ continuation, ☐ divisional application, or ☒ continuation-in-part application under 37 CFR 1.53(b), of pending prior Application Numbers 09/606,164, filed on June 29, 2000, and 10/055,254, filed on January 24, 2002 both entitled WATER PRESSURE DESTRUCT ENHANCER.

1. Enclosed is an application incorporating matter from the two above referenced applications and potentially new matter, depending upon the resolution of outstanding, new matter issues from application 10/055,254.

(1) FOR CLAIMS AS AMENDED	(2) NUMBER	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATION
TOTAL CLAIMS	11 - 20 =	0	X \$18.00	\$0
INDEPENDENT CLAIMS	3 - 3 =	0	X \$84.00	\$0
			BASIC FEE	\$770.00
			TOTAL	\$770.00

16834 U.S.PTO  
10/695364



2. ☒ The Commissioner is hereby authorize to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-1114. A duplicate copy of this paper is enclosed.
3. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
4. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.
5. ☒ The inventors of the invention being claimed in this application is (are): Michael L. Greene and Samuel J. DeVane
6. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.53(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
7. ☐ Amend the specification by inserting before the first line the sentence: "This application is a continuation-in-part of pending application number \_\_\_\_\_"
8. ☒ New formal drawings are enclosed.
9. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_

is claimed under 35 U.S.C. 110(a)-(d).

☐ The certified copy has been filed in prior application number \_\_/\_\_\_\_\_, filed \_\_\_\_\_.

10. ☐ A preliminary amendment is enclosed.

11. ☒ The prior applications are assigned of record to The United States of America, as represented by the Secretary of the Navy, recorded July 11, 2000 Reel 010945 Frame 0950.

12. ☒ Also enclosed: Non-Publication Request; Response to Last Office and Advisory Actions

13. ☒ The Power of Attorney in the prior application is to: John L. Forrest, Jacob Shuster, Howard Kaiser, and Mark Homer. A new power of attorney and oath or declaration for this application will be filed subsequently to encompass any potential new matter.


a. ☐ The power of attorney appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future correspondence to:

Office of Counsel, Code OC4  
Naval Surface Warfare Center  
Indian Head Division  
101 Strauss Avenue, Bldg. D-31  
Indian Head, MD 20640-5035

10/27/03  
Date

  
Mark Homer, Reg. No. 41,848  
Attorney for Applicants  
Tele: (301) 744-5603

☐ Inventor(s)

☐ Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.

☒ Attorney or agent of record

☐ Filed under 37 CFR 1.34(a) \_\_\_\_\_.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		<b>Michael L. Greene</b>
	Title	<b>Water Pressure Destruct Enhancer</b>	
	Atty Docket Number		<b>79,563</b>

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10/27/03  
Date

  
Signature

**Mark Homer, Reg. No. 41,848**  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).